

REMARKS

Claims 1, 2, 4, 5, 7, and 9-11 are pending in this application. By this amendment, claim 1 has been amended, claim 11 has been added, and claim 8 has been canceled without prejudice to, or disclaimer of, the subject matter recited therein. Claim 1 has been amended to incorporate the features of canceled claim 8. Support for new claim 11 can be found at, for example, paragraph [0019] and Fig. 2. Applicant respectfully requests reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

I. Rejections Under §103(a)**A. Rejection Over Nguyen and Greiner**

The Office Action rejects claims 1, 2, 4, 5, 7, and 9 under 35 U.S.C. §103(a) as having been obvious over U.S. Patent No. 7,235,217 to Nguyen in view of U.S. Patent No. 5,728,183 to Greiner et al. (hereinafter "Greiner"). The rejection is respectfully traversed.

The Office Action acknowledges that Nguyen and Greiner fail to disclose and would not have rendered obvious "a spring member interposed between the hydrogen exhaust valve and one of the first portion and the second portion to urge the hydrogen exhaust valve against the other one of the first portion and the second portion," as recited in claim 1. However, the Examiner asserts that Kiku cures the deficiencies of the combination of Nguyen and Greiner.

Kiku fails to disclose and would not have rendered obvious the claim 1 combination of features. The Office Action asserts that Kiku discloses a spring member (69) interposed between a hydrogen exhaust valve and one of the first portion and the second portion to urge the hydrogen exhaust valve against the other one of the first portion and the second portion. However, the spring member (69) of Kiku does not correspond to the claimed spring member because the spring member (69) of Kiku is unable to urge the valve (4) against the second portion (base body 1). Specifically, the cylindrical valve (4) of Kiku is supported on one side by the direct acting shaft (67) (Fig. 2 and col. 8, line 65, to col. 9, line 12). Thus, although the

spring member (69) is provided between the valve (4) and the first portion (joint device 92), the spring member (69) does not urge the cylindrical valve (4) against the base body (1) because the valve (4) is supported on one side by the direct acting shaft (67) that is fixed to the base body (1). For example, Fig. 2 illustrates that the spring member (69) fails to urge the valve (4) against the base body (1). Thus, Kiku fails to disclose and would not have rendered obvious "a spring member interposed between the hydrogen exhaust valve and one of the first portion and the second portion to urge the hydrogen exhaust valve against the other one of the first portion and the second portion," as recited in claim 1.

For at least these reasons, claim 1 is patentable over the combination of Nguyen, Greiner, and Kiku. Further, claims 2, 4, 5, 7, and 9 are patentable for at least the same reasons, as well as for the additional features they recite. Accordingly, Applicant respectfully requests withdrawal of the rejection.

B. Rejection Over Nguyen, Greiner and Kiku

The Office Action rejects claims 8 and 10 under 35 U.S.C. §103(a) as having been obvious over Nguyen in view of Greiner and further in view of U.S. Patent No. 6,908,069 to Kiku. As claim 8 has been canceled, Applicant respectfully traverses the rejection of claim 10.

Applicant does not concede that the combination of Nguyen, Greiner, and Kiku disclose or would have rendered obvious the features recited in dependent claim 10. However, it is unnecessary to separately discuss the features recited in the dependent claim given the existence of clear and distinguishing features in independent claim 1. Accordingly, Applicant respectfully requests withdrawal of the rejection.

II. New Claim

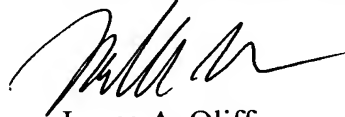
Claim 11 is patentable for at least the same reasons as discussed above with respect to claim 1.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: October 6, 2010

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